

Appln No. 10/802,541
Amdt date November 13, 2006
Reply to Office action of October 13, 2006

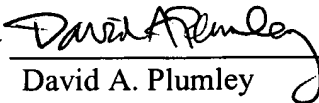
REMARKS/ARGUMENTS

In the Office action dated October 13, 2006, the examiner issued a restriction requirement asking applicant to elect between the Group I claims, claims 1-11, which are directed to a method for making the compound of Formula (Structure 2), and the Group II claim, claim 12, which is directed to a method for making the compound of Formula (Structure 1). In response, applicant elects the Group I claims, claims 1-11. This election is made with traverse.

In traversing the restriction requirement, applicant calls to the examiner's attention that claim 12 is a multiply dependant claim which starts with the Formula (Structure 2) compound made by any of claims 1-11, and then recites a method for forming the Formula (Structure 1) compound. Similarly, claim 11 which the examiner has grouped with the Group I claims is directed to a method for making the Formula (Structure 1) compound by starting from the Formula (Structure 2) compound. Applicant submits that given the relationship between the Group I and Group II claims, examination of the Group II claim would not pose an undue burden on the examiner, even though it may represent a patentably distinct invention.

If there are any questions regarding this response, the examiner is asked to contact applicant's counsel at the number below.

Respectfully submitted,
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